

FISCAL NOTE

SB 2606 - HB 3104

March 12, 2004

SUMMARY OF BILL:

- Prohibits passengers from riding in any portion of a motor vehicle which is not a passenger seating position including cargo areas of trucks or trailers. Specifies that the seat belt law applies to the operator and all passengers, not just those in the front seat as under current law.
- Provides the fine for violations of the seat belt law to be at least \$50 but not more than \$100 and for \$20 of the fine to be designated for the Division of Vocational Rehabilitation. Under current law the fine ranges from \$10 to \$20.
- Provides for motor vehicle operators to be assessed two points on their driver license for violating the seat belt law.
- Deletes the provision prohibiting court costs and litigation taxes from being imposed against individuals who have violated the seat belt law.
- Deletes the provision prohibiting arrest warrants from being issued for seat belt violations.
- Specifies certain types of vehicles not subject to the seat belt law including those used in parades and hayrides.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$5,000 One-Time

Increase State Revenues - Exceeds \$2,500,000 General Fund

**Exceeds \$300,000 Earmarked for the
Div. of Vocational Rehabilitation**

Increase Local Govt. Revenues - Exceeds \$2,000,000

Estimate assumes:

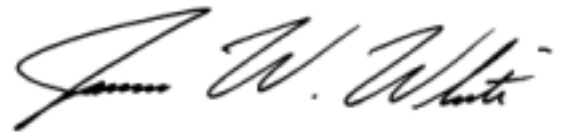
- a one-time increase in state expenditures of \$5,000 for computer system changes.
- approximately 36,400 seat belt citations issued by officers of the Department of Safety.
- at least 13,600 seat belt citations issued by other law enforcement officers.

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- current average fine of \$12 and an average fine of \$50 under the provisions of the bill. For current violations an additional \$8 would be earmarked for the Division of Vocational Rehabilitation and \$30 would be allocated to the General Fund.
- at least a 10% increase in seat belt citations as a result of extending seat belt requirements to all passengers resulting in 3,640 new state citations and at least 1,360 local citations for a total statewide of approximately 55,000.
- a \$25 arrest fee charged on each citation given by officers of the Department of Safety.
- a \$27 cite fee charged on each citation given by local law enforcement.
- state litigation tax of \$29.50 charged on all citations. Some local governments charge local litigation taxes.
- court costs charged on all citations at an average of \$42 each.
- clerks receive commission on fines and fees collected.
- 70% conviction rate on citations issued.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director